

Introduced by Senator Figueroa

January 27, 2004

An act to add Chapter 23.5 (commencing with Section 22730) to Division 8 of the Business and Professions Code, relating to consumer rebates.

LEGISLATIVE COUNSEL'S DIGEST

SB 1154, as introduced, Figueroa. Consumer rebates.

Existing law regulates various business activities and practices.

This bill would impose certain requirements on companies and retailers that offer consumer rebates, including that a company mail a rebate to a consumer not later than 30 days from when the company received the rebate request. The bill would require a rebate offered directly by a retailer on a product the retailer sells to be redeemed at the time of the product's purchase. The bill would require, with an exception, a company that offers a rebate to accept as valid proof of purchase a copy of the receipt for the purchase of the product.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Chapter 23.5 (commencing with Section
- 2 22730) is added to Division 8 of the Business and Professions
- 3 Code, to read:
- 4

CHAPTER 23.5. CONSUMER REBATES

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3 22730. (a) Except as specified in subdivision (b), a copy of
4 a receipt for the purchase of a product sent to a company offering
5 a rebate shall be sufficient proof of purchase for a rebate request.
6 The company shall have the right to reject a rebate request based
7 upon a copy of a receipt only if the company has a reasonable belief
8 that the consumer submitting the rebate request is attempting to
9 commit fraud or has already received the offered rebate.

10 (b) A company may require an original receipt as proof of
11 purchase only if it has an agreement with its retailers to provide
12 consumers with a duplicate original receipt for the product for
13 which the rebate is offered.

14 22731. A rebate offer or advertisement shall conspicuously
15 disclose a telephone number on the rebate form that a consumer
16 may call to check the status of his or her rebate request.

17 22732. A rebate offered directly by a retailer on a product the
18 retailer sells shall be redeemed at the time of the product's
19 purchase.

20 22733. A company may require the consumer to write the
21 model number or other identifying number on the rebate form only
22 if the receipt does not reveal the product name, type, model, or
23 other identifying number.

24 22734. A company that offers a rebate shall allow at least 60
25 days from the time of purchase for the rebate request to be
26 submitted by the consumer.

27 22735. Upon receipt of a valid rebate request, a company shall
28 mail the rebate check not later than 30 days from the date the
29 company receives the rebate request.

30 22736. A company offering a rebate shall not require personal
31 information other than the consumer's name, address, and home
32 phone number.

33 22737. A company offering a rebate shall provide a rebate
34 redemption form with the product, or at the time and place the
35 consumer purchases the product.

